
C O U N C I L C O M M U N I C A T I O N

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE
AUGUST 1, 1990

SUBJECT: REQUEST BY SAN JOAQUIN COUNTY COUNCIL OF GOVERNMENTS THAT THE LODI CITY
 ATTORNEY RENDER AN OPINION ON THE PROPOSED IMPLEMENTING ORDINANCE
 FOR THE 1/2 CENT SALES TAX

PREPARED BY: City Attorney

PROPOSED ACTION: Consideration of Council of Governments' request that
 the Lodi City Attorney's office ~~comment~~ upon the
 implementing ordinance which would be adopted in
 conjunction with the passage of the 1/2 cent sales
 tax measure.

BACKGROUND INFORMATION: At the November general election, San Joaquin County
 voters will address the proposed imposition of an
 additional 1/2 cent sales tax to be used for
transportation and air quality projects. As a part of that proposal, it will
be necessary for the Council of Governments (COG), acting as the San Joaquin
Transportation Authority, to adopt an implementing ordinance.

The draft ordinance has been prepared by COG which has requested the City
Attorney's office review and ~~comment~~ upon it. Normally, this would be done by
the San Joaquin County Counsel's office, but in this case, the County
Counsel's office feels there could be a conflict in doing so. I must admit
the basis for this perceived conflict is not apparent to me, but I accept the
County Counsel's position.

I have no reservations about **doing** as requested, but *desire* Council approval
before giving a written opinion, since I would be advising an agency other
than the City of Lodi. COG has offered to reimburse the City for time spent
on the opinion.

Respectfully submitted,


BOB McNATL

City Attorney

BM:vc

SALESTAX/TXTA.01V